

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

HONEYWELL INTERNATIONAL INC.)	
and HONEYWELL INTELLECTUAL)	
PROPERTIES INC.,)	
)	
Plaintiffs,)	
)	C.A. No. 04-1338-***
v.)	(Consolidated)
)	
WINTEK CORPORATION and WINTEK)	
ELECTRO-OPTICS CORPORATION,)	
)	
Defendants.)	

STIPULATION AND ORDER OF DISMISSAL

WHEREAS, the Court being advised that the Plaintiffs have settled and resolved their differences with Defendants WINTEK CORPORATION and WINTEK ELECTRO-OPTICS CORPORATION (collectively, “the Wintek Defendants”), and have entered into an Agreement setting out the terms and conditions of the settlement, having an effective date of September 21, 2007 (“Agreement”), and as part of that Agreement have consented to the entry of an Order approving this Stipulation;

AND WHEREAS pursuant to 28 U.S.C. § 636 Plaintiffs and the Wintek Defendants (together “the Parties”) hereby consent to the jurisdiction of United States Magistrate Judge Mary Pat Thyng: (1) with respect to those claims brought in this action by Plaintiffs against the Wintek Defendants and not with respect to any other claim brought by Plaintiffs in this action; and (2) for the purpose of interpreting and enforcing the Agreement;

NOW THEREFORE, upon the consent of the Parties hereto, it is hereby Ordered, Adjudged and Decreed that:

1. This Court has jurisdiction over the subject matter of, and the Parties to, this action and venue is properly laid.

2. The Court shall retain and hereby retains continuing exclusive jurisdiction over the Parties and the subject matter hereto for the purpose of interpreting and enforcing the Agreement.

3. As a result of the Agreement, the Wintek Defendants no longer have an interest in the subject matter of this action and therefore are hereby dismissed without prejudice as Defendants by Plaintiffs.

4. Each Party hereto shall bear its own costs and attorneys' fees incurred in this action.

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Dated: October 3, 2007

SO ORDERED this ____ day of _____, 2007.

United States Magistrate Judge

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